

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**NATALIE REESER,**

Plaintiff,

v

Case No. 2:14-cv-11916-GCS-MJH  
Hon. George Caram Steeh  
Magistrate Judge Mona K. Majzoub

**HENRY FORD HEALTH SYSTEM  
d/b/a HENRY FORD HOSPITAL,**

Defendant.

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**MILLER COHEN, P.L.C.**

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Adam C. Graham (P79361)  
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**VARNUM LLP**

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**THEORIES OF THE PARTIES**

These are the theories of the parties. I express no preference as to which, if any, you will accept.

**PLAINTIFF'S CLAIMS**

Plaintiff, Natalie Reeser, was terminated from Henry Ford Health System (Henry Ford) as a direct result of reporting that she was not being paid for work she performed during her lunch break, as required by the Fair Labor Standards Act (FLSA). Before this report, Ms. Reeser had a good working relationship with her supervisors and a clean disciplinary record. Henry Ford acknowledged Ms. Reeser's

complaint was legitimate and eventually paid her for work, but not until after retaliating against her by suspending her, and eventually terminating her. Ms. Reeser's suspension and termination violated her rights under the Whistleblower Protection Act and Fair Labor Standards Act.

The stated reason for Ms. Reeser's termination was job abandonment. This alleged "job abandonment" was in reality Ms. Reeser's decision to take a 30 minute lunch break, which was both encouraged and mandated by Henry Ford's own policies. To continue working without a lunch break when Ms. Reeser was not being paid for this time, would have violated not only Ms. Reeser's right to a lunch break under Henry Ford's policies, but also her rights under the FLSA.

When Ms. Reeser's supervisors, Fiona Bork and Martha Wiseheart, learned that Ms. Reeser had gone to Human Resources Business Partner Jill Hood to report the nonpayment of her work, they continued to refuse to pay her for the work and began to harass and intimidate Ms. Reeser. Ms. Bork, in particular, complained about having to comply with the law and began to refer to Ms. Reeser's continued requests for payment as "insubordination". When Ms. Reeser told Ms. Bork that she planned to go to the State of Michigan to report Henry Ford's continuing violation, Ms. Bork told Ms. Reeser that she would be sorry. Emails show that Ms. Bork, Ms. Wiseheart, and Ms. Hood worked together to try to push Ms. Reeser out of the Clinton Township Patient Service Center facility.

When Ms. Reeser finally took a lunch break after more than a month had passed following her report of nonpayment of work to Ms. Hood, she did so in compliance with Henry Ford's break policies and Fiona Bork's policies, as well as with the knowledge and approval of Fiona Bork and Martha Wiseheart. Still, Defendant's agents determined that they would use this opportunity to terminate Ms. Reeser.

Respectfully submitted,

**MILLER COHEN, P.L.C.**

By: /s/ Adam C. Graham

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Dated: May 3, 2016

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**CERTIFICATE OF SERVICE**

I hereby certify that on *May 3, 2016*, the foregoing document was electronically filed by the undersigned's authorized representative, using the ECF system, which will send notification of such filing to all parties of record.

Respectfully submitted,

**MILLER COHEN, P.L.C.**

By: /s/ Adam C. Graham

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